

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

GUY CLARK; LINDA CORWIN;  
CRAIG CORWIN; WESLEY  
HANCHETT; RICHARD JONES;  
MICHAEL WRIGHT; and SAN JUAN  
AGRICULTURAL WATER USERS  
ASSOCIATION,

Plaintiffs,

vs.

CIV 21-1091 KG/SCY

DEB HAALAND, in her official capacity  
as Secretary of the Interior; CAMILLE C.  
TOUTON, in her official capacity as Deputy  
Commissioner, United States Bureau of  
Reclamation; MARTHA WILLIAMS, in her  
official capacity as Principal Deputy Director,  
U.S. Fish & Wildlife Service; DR. RUDY  
SHEBALA, in his official capacity as Executive  
Director, Navajo Nation Division of Natural  
Resources; DAVID ZELLER, in his official capacity  
as head of Navajo Indian Agricultural Products  
Industries; JOHN D'ANTONIO, in his official capacity  
as State Engineer of the State of New Mexico; and  
ROLF SCHMIDT-PETERSEN, in his official capacity  
As Director of the New Mexico Interstate Stream  
Commission,

Defendants.

ORDER ADOPTING PROPOSED FINDINGS  
AND RECOMMENDATION DISPOSITION

This matter is before the Court on United States Magistrate Judge Steven C. Yarbrough's  
April 6, 2022, Proposed Findings and Recommended Disposition ("PFRD"). (Doc. 43). Judge  
Yarbrough recommended that the Court strike the Complaint as to Plaintiff San Juan  
Agricultural Water Users Association's claims and dismiss the Association without prejudice for

failure to be represented by an attorney and failure to respond to the Order to Show Cause. (Doc. 43). Judge Yarbrough notified the parties that they had 14 days from service of the PFRD to file any objections to the PFRD. (*Id.* at 3). The parties have not filed any objections to the PFRD, thereby waiving their right to review of the proposed disposition. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Furthermore, upon review of the PFRD, the Court concurs with Judge Yarbrough's findings and recommendation.

IT IS THEREFORE ORDERED THAT:

1. The Court ADOPTS Judge Yarbrough's Proposed Findings and Recommended Disposition (Doc. 43);
2. Plaintiff San Juan Agricultural Water Users Association's claims are struck from the Complaint (Doc. 1, including Errata filed as Doc. 13); and
3. Plaintiff San Juan Agricultural Water Users Association is dismissed without prejudice.

IT IS SO ORDERED.

  
UNITED STATES DISTRICT JUDGE